

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK

Case number (if known) _____

Chapter 11☐ Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 1 Perry St. Restaurant, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 32-0262139

4. Debtor's address Principal place of business

c/o Spyros Kekatos & Associates
22-76 Steinway Street, Suite 1
Astoria, NY 11105

Number, Street, City, State & ZIP Code

Queens

County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

1 Perry Street New York, NY 10014

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor 1 Perry St. Restaurant, Inc.
Name

Case number (if known) _____

7. Describe debtor's business A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. *Check all that apply.*

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship _____
District _____	When _____ Case number, if known _____

Debtor 1 Perry St. Restaurant, Inc.
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

☒ Funds will be available for distribution to unsecured creditors.☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☒ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☒ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor 1 Perry St. Restaurant, Inc.
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2016
MM / DD / YYYY**X** /s/ Beatriz Rodriguez
Signature of authorized representative of debtorBeatriz Rodriguez
Printed nameTitle President**18. Signature of attorney****X** /s/ Lawrence F. Morrison
Signature of attorney for debtorDate December 16, 2016
MM / DD / YYYYLawrence Morrison
Printed nameMORRISON TENENBAUM PLLC
Firm name87 Walker Street, Floor 2
New York, NY 10013
Number, Street, City, State & ZIP CodeContact phone 212-620-0938Email address morrlaw@aol.com, LMORRISON@M-T-LAW.COM_____
Bar number and State

Fill in this information to identify the case:

Debtor name **1 Perry St. Restaurant, Inc.**
 United States Bankruptcy Court for the: **EASTERN DISTRICT OF NEW YORK**
 Case number (if known): _____

☐ Check if this is an
 amended filing

Official Form 204**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1 Perry Street, LLC c/o Corigin Management LL 505 Fifth Avenue, 22nd Fl New York, NY 10017				\$190,000.00	\$0.00	\$76,504.64
Abarrotes Del Sur LLC 1 Market Street Building 4 Passaic, NJ 07055						\$4,694.00
Ammirati Coffee, Inc. 500 5th Ave Pelham, NY 10803						\$316.00
Best Metropolitan TWL&LIN 60 Madison Ave Hempstead, NY 11551						\$1,177.07
Classic Recycling NY 409 River Road, Suite 1 Clifton, NJ 07014						\$1,796.44
Con Edison Cooper Station PO Box 138 New York, NY 10276						\$3,431.63
DAIEI TRADING Co., Inc. 14-50 128th Street College Point, NY 11356						\$382.10
Despana Brand Foods 60-01 31st Ave Woodside, NY 11377						\$1,311.49

Debtor **1 Perry St. Restaurant, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Dos Gardenias Ltd. 332 Bleecker Street Suite D9 New York, NY 10014						\$11,670.17
ECOLAB PO Box 32027 New York, NY 10087						\$581.02
Grapes and Greens Inc. 700 Furrows Rd. Holtsville, NY 11742						\$654.00
Icesurance Inc. 500 Fenimore Road Mamaroneck, NY 10543						\$781.72
Liberty Paper Supplies 633 Court Street Brooklyn, NY 11231						\$1,499.00
Luis Produce 1202 60 Street Brooklyn Brooklyn, NY 11219						\$1,714.00
Open Table, Inc. PO Box 671198 Dallas, TX 75267						\$2,552.17
Peace of Mind Pest Control 142 Bay 44th Street Brooklyn, NY 11214						\$762.00
Peruvian Import Co., Inc. 88 South Street Passaic, NJ 07055						\$419.60
Purelite Candle of New York 302 A W. 12 Street #303 New York, NY 10014						\$407.20
Spyro Kekatos & Associates 22-76 Steinway St Suite #1 Astoria, NY 11105						\$3,250.00
Verizon Attn: Legal/Bankruptcy P.O. Box 15124 Albany, NY 12212						\$329.50

**United States Bankruptcy Court
Eastern District of New York**

In re **1 Perry St. Restaurant, Inc.**

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: **December 15, 2016**

/s/ Beatriz Rodriguez

Beatriz Rodriguez/President
Signer/Title

1 Perry Street, LLC
c/o Corigin Management LL
505 Fifth Avenue, 22nd Fl
New York, NY 10017

Abarrotes Del Sur LLC
1 Market Street
Building 4
Passaic, NJ 07055

Ammirati Coffee, Inc.
500 5th Ave
Pelham, NY 10803

Best Metropolitan TWL&LIN
60 Madison Ave
Hempstead, NY 11551

Central Time Clock, Inc.
5-23 50th Ave
Long Island City, NY 11101

Classic Recycling NY
409 River Road, Suite 1
Clifton, NJ 07014

Con Edison
Cooper Station
PO Box 138
New York, NY 10276

D'Artagnan Inc.
PO Box 447
Union, NJ 07083

DAIEI TRADING Co., Inc.
14-50 128th Street
College Point, NY 11356

Despana Brand Foods
60-01 31st Ave
Woodside, NY 11377

Dos Gardenias Ltd.
332 Bleecker Street
Suite D9
New York, NY 10014

ECOLAB
PO Box 32027
New York, NY 10087

Grapes and Greens Inc.
700 Furrows Rd.
Holtsville, NY 11742

Icesurance Inc.
500 Fenimore Road
Mamaroneck, NY 10543

Liberty Paper Supplies
633 Court Street
Brooklyn, NY 11231

Luis Produce
1202 60 Street Brooklyn
Brooklyn, NY 11219

Manhattan Fire & Safety
242 W. 30th Street
7th Floor
New York, NY 10001

Open Table, Inc.
PO Box 671198
Dallas, TX 75267

Peace of Mind Pest Control
142 Bay 44th Street
Brooklyn, NY 11214

Peruvian Import Co., Inc.
88 South Street
Passaic, NJ 07055

Purelite Candle of New York
302 A W. 12 Street
#303
New York, NY 10014

Spicehouse USA
47 Bloomingdale Rd
Hicksville, NY 11801-1000

Spyro Kekatos & Associates
22-76 Steinway St
Suite #1
Astoria, NY 11105

Verizon
Attn: Legal/Bankruptcy
P.O. Box 15124
Albany, NY 12212

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

1 PERRY ST. RESTAURANT, INC.,

Case No. 16-_____ ()

Debtor.

-----X

CORPORATE RESOLUTION

At the meeting of the Board of Directors of 1 Perry Restaurant, Inc. ("1 Perry"), it was determined to be in the best interests of 1 Perry to file for bankruptcy under Chapter 11 of the United States Bankruptcy Code.

Dated: New York, New York
December 16th, 2016

By : /s/ Beatriz Rodriguez
Beatriz Rodriguez
President

**United States Bankruptcy Court
Eastern District of New York**

In re 1 Perry St. Restaurant, Inc.

Debtor(s)

Case No.

Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Beatriz Rodrigues	Common Stock	28%	
Ebrahim Sobhan	Common Stock	22%	
Julian Medina	Common Stock	22%	
Luis Skibar	Common Stock	28%	

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date December 16, 2016Signature /s/ Beatriz RodriguezBeatriz Rodriguez

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORKIN RE: -----X
1 Perry St. Restaurant, Inc.

Chapter 11

Case No.:

Debtor(s)
-----XSTATEMENT PURSUANT TO LOCAL RULE 2017I, **Lawrence Morrison**, an attorney admitted to practice in this Court, state:

1. That I am the attorney for the above-named debtor(s) and am fully familiar with the facts herein.
2. That prior to the filing of the petition herein, my firm rendered the following services to the above-named debtor(s):

<u>Date\Time</u>	<u>Services</u>
December 13, 2016	Initial interview, analysis of financial condition, etc.
December 14, 2016	Preparation and review of Bankruptcy petition

3. That my firm will also represent the debtor(s) at the first meeting of creditors.
4. That all services rendered prior to the filing of the petition herein were rendered by my firm.
5. That my usual rate of compensation of bankruptcy matters of this type is \$ 495.00.

Dated: December 16, 2016

/s/ Lawrence Morrison

Lawrence Morrison

Attorney for debtor(s)

MORRISON TENENBAUM PLLC

87 Walker Street, Floor 2

New York, NY 10013

212-620-0938

morrlaw@aol.com, LMORRISON@M-T-LAW.COM

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

**STATEMENT PURSUANT TO LOCAL
BANKRUPTCY RULE 1073-2(b)**

DEBTOR(S): 1 Perry St. Restaurant, Inc.

CASE NO.: _____

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (*or any other petitioner*) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes of E.D.N.Y. LBR 1073-1 and E.D.N.Y. LBR 1073-2 if the earlier case was pending at any time within eight years before the filing of the new petition, and the debtors in such cases: (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one or more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

☒ NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.

☐ THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

1. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____

CASE STILL PENDING (Y/N): _____ [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

2. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____

CASE STILL PENDING (Y/N): _____ [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

3. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____

CASE STILL PENDING (Y/N): _____ [If closed] Date of closing: _____

(OVER)

DISCLOSURE OF RELATED CASES (cont'd)

CURRENT STATUS OF RELATED CASE: _____

(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

NOTE: Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:

I am admitted to practice in the Eastern District of New York (Y/N): Y

CERTIFICATION (to be signed by pro se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case now pending or pending at any time, except as indicated elsewhere on this form.

/s/ Lawrence Morrison

Lawrence Morrison
Signature of Debtor's Attorney
MORRISON TENENBAUM PLLC
87 Walker Street, Floor 2
New York, NY 10013
212-620-0938

Signature of Pro Se Debtor/Petitioner_____
Signature of Pro Se Joint Debtor/Petitioner_____
Mailing Address of Debtor/Petitioner_____
City, State, Zip Code_____
Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

NOTE: Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.